

ATTORNEY: KASOWITZ BENSON TORRES & FRIEDMAN LLP
OFFICE FILE:07266-001

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

INDEX NO: 06 CIV 2379

THE UNOFFICIAL ON-SHORE CREDITORS' COMMITTEE OF
BAYOU FAMILY OF COMPANIES

PLAINTIFF

AGAINST

BAYOU GROUP, LLC, A CONNECTICUT LIMITED LIABILITY
COMPANY ET AL

DEFENDANT

STATE OF NEW YORK, COUNTY OF NEW YORK : SS

CARL MILLER, BEING DULY SWORN, DEPOSES AND SAYS:
I AM OVER 18 YEARS OF AGE, NOT A PARTY TO THIS ACTION, AND RESIDES IN THE STATE OF
NEW YORK

THAT ON THE 31ST DAY OF MARCH 2006 AT 7:01 A.M. AT THE ADDRESS 4 BYRAM BROOK PLACE
ARMONK, N.Y. IN THE STATE OF NEW YORK

I SERVED THE CIVIL COVER SHEET, SUMMONS AND COMPLAINT; RULE 7.1 DISCLOSURE
STATEMENT; NOTICE OF APPEARANCE OF JOSEPH A. GERSHMAN; NOTICE OF APPEARANCE OF
JOSHUA A. BAUCHNER; NOTICE OF MOTION TO APPOINT RECEIVER; UNOFFICIAL ON-SHORE
CREDITORS' COMMITTEE'S MEMORANDUM IN SUPPORT OF ITS MOTION TO APPOINT A RECEIVER
PROPOSED ORDER; DECLARATION OF JONATHAN J. FISHER, INCLUDING ALL EXHIBITS
ATTACHED THERETO; INDIVIDUAL PRACTICES OF JUDGE COLLEEN MCMAHON; AND INDIVIDUAL
PRACTICES OF MAGISTRATE JUDGE MARK D. FOX UPON **SAMUEL ISRAEL, III** THE
DEFENDANT THEREIN NAMED BY DELIVERING TO, AND LEAVING A TRUE COPY OF SAID
AFOREMENTIONED PAPERS WITH SAID DEFENDANT PERSONALLY; THAT AT THE TIME OF
SUCH SERVICE I KNEW THE PERSON SO SERVED AS AFORESAID TO BE SAME PERSON
MENTIONED AND DESCRIBED IN THE SAID AFOREMENTIONED PAPERS AS THE DEFENDANT IN
THIS ACTION.

DEPONENT DESCRIBES THE PERSON SERVED AS AFORESAID TO THE BEST OF DEPONENT'S ABILITY AT THE TIME AND
CIRCUMSTANCES OF THE AFORESAID SERVICE AS FOLLOWS:

SEX: MALE COLOR: WHITE HAIR: BLACK & BALD APP. AGE: 42 APP. HT.: 5'11 APP. WT.: 200

THAT AT THE TIME OF SERVICE, AS AFORESAID, I ASKED HIM WHETHER HE WAS IN THE SERVICE OF THE UNITED
STATES GOVERNMENT OR IN THE MILITARY SERVICE OF ANY OF THE NATIONS ALLIED WITH THE UNITED STATES ENGAGED IN THE
PROSECUTION OF THE PRESENT WAR IN ANY CAPACITY WHATSOEVER AND WHETHER HE HAD BEEN ORDERED TO REPORT FOR INDUCTION
UNDER THE SELECTIVE SERVICE AND TRAINING ACT OF 1940 AND AMENDMENTS THERETO, AND RECEIVED NEGATIVE REPLIES.

UPON INFORMATION AND BELIEF BASED UPON THE CONVERSATION AND OBSERVATION AS AFORESAID I AVER THAT THE DEFENDANT IS
NOT IN THE MILITARY SERVICE OF THE UNITED STATES GOVERNMENT OR ANY OF ITS ALLIES AT THE PRESENT TIME AS THE TERM IS USED
IN THE ACT OF CONGRESS KNOWN AS "THE SOLDIERS' AND SAILORS' CIVILIAN RELIEF ACT."

SWORN BEFORE ME THIS
3RD DAY OF APRIL 2006

NOTARY

JOEL GOLUB
Notary Public State of New York
No. 01604751136
Qualified in Nassau County
Commission Expires Dec. 31, 2009

CARL MILLER 790101
REF NO: 7KBTF936071
AETNA JUDICIAL SERVICE INC
225 BROADWAY
NEW YORK NY 10007